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JUL 19 2005

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IMPORTANT NOTICE
TELECOPY/FACSIMILE COVER LETTERTO: U.S. Patent and Trademark Office
Examiner: Christopher H. Yaen
Art Unit: 1642DATE: July 19, 2005FROM: Lawrence J. McClure

TIME: _____

TOTAL NO. OF PAGES, INCLUDING COVER: 7

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MESSAGE:**RE: U.S. Patent Application Serial No.: 09/872,165; Our Ref. 89188.0011**

I hereby certify that the following documents:

- Notice of Appeal
- Petition for Extension of Time (3 months)

are being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, for filing in the above application.

July 19, 2005
Date of Deposit
Diane ZynnTELECOPY/FAX NUMBER: 571-273-8300 Art Unit 1642CLIENT NUMBER: 89188.0011ATTORNEY BILLING NUMBER: 1966CONFIRMATION NUMBER: (please return fax to Diane Zynn)

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**PATENT
89188.0011****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:
Peter C. Brooks *et al.*
Serial No: 09/872,165
Filed: June 1, 2001
For: NOVEL METHOD AND
COMPOSITION FOR
INHIBITION OF
ANGIOGENESIS AND TUMOR
GROWTH USING COMPOUNDS
BASED ON A SEQUENCE
WITHIN MMP-2

Art Unit: 1642
Examiner: Christopher H. Yaen

I hereby certify that this correspondence
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(571)273-8300:
Commissioner for Patents
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July 19, 2005
Date of Deposit

Diane Zynn

Name

Signature

07/19/05
Date

**NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF APPEALS**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 19, 2005 of the Primary Examiner finally rejecting claims 1-5 and 36-45. The item(s) checked below are appropriate:

1. ☒ A 3-month extension of time to respond to the final rejection is hereby requested under 37 C.F.R. § 1.136 is enclosed with the proper fee.
2. ☒ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. The application is on behalf of

☒ a small entity

Applicants claims small entity status.

☐ other than a small entity.

07/21/2005 MBINAS 00000043 501314 09072165

01 FC:2401 250.00 DA

Appl. No. 09/872,165

Attorney Docket No. 89188.0011
Customer No.: 26021

☒ Fee ☒ \$250 ☐ \$500

☐ enclosed.

☐ not required (fee paid in prior appeal).

☒ charged to Deposit Account No. 50-1314 if any additional fees are required.

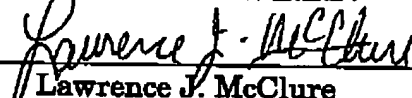
(An additional copy of this Notice is enclosed.)

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: July 19, 2005

By:


Lawrence J. McClure
Registration No. 44,228
Attorney for Applicant(s)

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